

# Exhibit A

EEOC FORM 131 (11/09)

## U.S. Equal Employment Opportunity Commission

Ms. Anna M. Caporuscio  
Senior Counsel  
SHEETZ INC  
5700 Sixth Avenue  
Altoona, PA 16602

PERSON FILING CHARGE

Joseph A. Gorsuch

THIS PERSON (check one or both)

☒ Claims To Be Aggrieved☐ Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

530-2016-02176

## NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

- ☒ Title VII of the Civil Rights Act (Title VII) ☐ The Equal Pay Act (EPA) ☐ The Americans with Disabilities Act (ADA)
- ☐ The Age Discrimination in Employment Act (ADEA) ☐ The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

1. ☐ No action is required by you at this time.
2. ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
3. ☒ Please provide by **15-JUL-16** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
4. ☐ Please respond fully by to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
5. ☐ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by to

If you **DO NOT** wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Gregory L. Nanney,  
Intake Supervisor

EEOC Representative

Telephone (412) 395-5861

Pittsburgh Area Office  
1000 Liberty Avenue  
Room 1112  
Pittsburgh, PA 15222  
Fax: (412) 395-5749

Enclosure(s): ☒ Copy of Charge

## CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☐ Race ☐ Color ☒ Sex ☐ Religion ☐ National Origin ☐ Age ☐ Disability ☐ Retaliation ☐ Genetic Information ☐ Other

See enclosed copy of charge of discrimination.

Date

June 22, 2016

Name / Title of Authorized Official

Roosevelt L. Bryant,  
Director

Signature

Roosevelt L. Bryant

EEOC Form 5 (11/09)

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

530-2016-02176

**Pennsylvania Human Relations Commission**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

**Mr. Joseph A. Gorsuch**

Home Phone (Incl. Area Code)

**(814) 505-5857**

Date of Birth

**07-21-1980**

Street Address

City, State and ZIP Code

**2870 Royer Mountain Road, Williamsburg, PA 16693**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

**SHEETZ DISTRIBUTION CENTER**

No. Employees, Members

**500 or More**

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

**242 Sheetz Way, Claysburg, PA 16625**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN  
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ GENETIC INFORMATION  
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE  
Earliest Latest**02-23-2016****02-23-2016**☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

1. I began the hiring process with the above-named Respondent in approximately September 2015. I participated in two (2) interviews with Respondent personnel before being referred to a temporary agency, Aerotek, to complete the hiring/screening process. I began working in the Respondent's distribution center on or about October 12, 2015 as a temporary employee. On or about February 15, 2016, I was made a conditional job offer, pending the results of another background check and drug screening. On February 23, 2016, I received a telephone call from an Aerotek representative informing me that the job offer had been rescinded.

2. On or about February 23, 2016, I received a telephone call from a representative from Aerotek informing me that the job offer had been rescinded because I had failed the background check. On February 24, 2016, I spoke with Cindy (LNU), Respondent HR Rep., who explained that the Respondent has a policy of not hiring anyone with a felony conviction regardless of the date or disposition of the offense.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

2016 JUN -9 PM 12:17

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

Date

Charging Party Signature

EEOC Form 5 (11/09)

**CHARGE OF DISCRIMINATION**

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Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC**530-2016-02176****Pennsylvania Human Relations Commission**

and EEOC

State or local Agency, if any

3. I believe the Respondent discriminated against me because of my gender, male in violation of Title VII of the Civil Rights Act of 1964, as amended, in that, I successfully completed the background screening conducted by the temporary agency used by the Respondent and worked in the Respondent facility for approximately four (4) months. At that time I was offered direct employment with the Respondent. The job offer was rescinded based on Respondent policy of not hiring anyone who has a felony conviction in their past. My offense occurred 16 years prior to my being considered for employment. Respondent's policy has a disparate impact on male applicants.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY – When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

11-21-2016 5-10P 5102

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

Date

Charging Party Signature